

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD HOMCHICK, as individual,
Plaintiff,

V.

KING COUNTY, a home rule charter county and municipal corporation doing business as KING COUNTY SHERIFF'S OFFICE and the KING COUNTY PROSECUTING ATTORNEY'S OFFICE; JOHN URQUHART, individually and in his official capacity as King County Sheriff; DANIEL SATTERBERG, individually and in his official capacity as King County Prosecutor; and JOHN DOES 1-10,

Defendants.

No. C18-00377-JLR

**JOINT STIPULATION TO FILE
SECOND AMENDED COMPLAINT**

***Noted for Consideration for:
May 12, 2020***

STIPULATION

Pursuant to Fed. R. Civ. P. 15(a)(2), Local Civil Rule 15, and Local Civil Rule 7(d), the parties, by and through their counsel of record, hereby stipulate to entry of the proposed Order set forth below, granting Plaintiff leave to file a Second Amended Complaint in the form attached as Exhibit A hereto. In support of this request, the parties submit as follows:

1. The original complaint in this matter was filed on March 12, 2018. Dkt. #1. Plaintiff filed his First Amended Complaint on March 20, 2018. Dkt. #10. The case was

**JOINT STIPULATION TO FILE SECOND AMENDED
COMPLAINT – Page 1**

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1 thereafter stayed for several months pending resolution of then-pending criminal cases of
 2 former co-plaintiffs, Charles Peters and Keith Emmanuel. Subsequently, former plaintiffs
 3 Peters and Emmanuel voluntarily dismissed their action. In addition, former defendants City
 4 of Bellevue and Chief Steven Mylett were voluntarily dismissed from this action.

5 2. On August 9, 2019, the Court granted the parties' Stipulated Motion to
 6 Continue Trial Date and Extend Existing Pre-trial Deadlines. Dkt. #52. On August 13, 2019,
 7 the Court issued a new case schedule that set a deadline for amended pleadings for June 3,
 8 2020. Dkt. #53.

9 3. In accordance with the case schedule, Plaintiff seeks to amend his pleading in
 10 the form attached as Exhibit A. Pursuant to Local Civil Rule 15, Plaintiff has attached as
 11 Exhibit B a redlined copy of the proposed amended pleading indicating how it differs from
 12 the First Amended Complaint. The proposed amended pleading does not alter the claims of
 13 the current operative complaint. Rather, it adds details and further context for the factual
 14 allegations in support of the existing claims, as well as amends the caption to reflect the
 15 correct current parties.

16 4. Plaintiff has conferred with Defendants concerning the proposed amendment,
 17 and Defendants have indicated that they do not oppose the filing of the Second Amended
 18 Complaint. By agreeing to this stipulation, Defendants in no way endorse the Second
 19 Amended Complaint or agree to its factual accuracy. Defendants merely agree that
 20 permitting the amendment without a motion will speed resolution of this case.

21 5. Based on the foregoing, Plaintiff respectfully requests that the Court grant
 22 Plaintiff leave to file the Second Amended Complaint in the form attached as Exhibit A.

ORDER

IT IS SO ORDERED. Pursuant to Local Civil Rule 15, Plaintiff shall file and serve the amended pleading on all parties within fourteen (14) days of the filing of the Order.

DATED this 13th day of May, 2020.



JAMES L. ROBART
United States District Judge

Respectfully Submitted:

BAILEY DUQUETTE P.C.

Counsel for Plaintiff

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Approved as to Form:

KING COUNTY PROSECUTING ATTORNEY'S OFFICE
Counsel for Defendants

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